

SCANNED

ORIGINAL

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

CVC, INC.,

Plaintiff,

v.

ORIDION CAPNOGRAPHY, INC.,

Defendant.

CIV. ACTION NO.: 07 cv 4561

MOTION TO ADMIT COUNSEL
PRO HAC VICE

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Henry A. Lowet a member in good standing of the bar of this Court, hereby moves for an Order allowing the admission pro hac vice of

Mitchell A. Kramer
Kramer & Kramer, LLP
1077 Rydal Road
Suite 100
Rydal, PA 19046
(215) 887-9030
facsimile (215) 887-9240

Mitchell A. Kramer is a member in good standing of the Bar of the State of Pennsylvania as well as those courts listed in Exhibit A attached hereto.

There are no pending disciplinary proceedings against Mitchell A. Kramer in any State or Federal court.

Dated: 05/29/07

Respectfully submitted,

Henry A. Lowet

Henry A. Lowet, Esquire
Attorney I.D. HL1957
666 Fifth Avenue
New York, New York 10103-0084
(212) 977-9700
facsimile (212) 262-5152

6-29-07
\$50
617619

EXHIBIT A

Mitchell A. Kramer, Esquire

Pennsylvania Supreme Court	01/06/58
Supreme Court of U.S.	12/09/68

U.S. Courts of Appeals:

District of Columbia Circuit	11/29/95
First Circuit	10/08/99
Second Circuit	08/02/93
Third Circuit	01/07/58
Sixth Circuit	06/18/87
Seventh Circuit	12/31/87
Eighth Circuit	09/11/85
Tenth Circuit	04/08/86
Eleventh Circuit	06/11/85

U.S. District Courts:

Eastern District of Pennsylvania	01/07/58
Western District of Texas	07/13/04
Eastern District of Wisconsin	10/02/92
Middle District of Pennsylvania	05/19/89
Western District of Pennsylvania	04/22/03
Western District of Wisconsin	11/12/02

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

CVC, INC.,)	
)	
Plaintiff,	)	CIV. ACTION NO.:
v.)	
	)	AFFIDAVIT OF
ORIDION CAPNOGRAPHY, INC.,	)	HENRY A. LOWET
	)	IN SUPPORT OF MOTION
Defendant.	)	TO ADMIT COUNSEL
	)	PRO HAC VICE

Henry A. Lowet, being duly sworn, hereby deposes and says as follows:

1. I am counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Mitchell A. Kramer as counsel pro hac vice to represent Plaintiff in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 1958. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Mitchell A. Kramer since 1951.
4. Mitchell Kramer is senior partner of Kramer & Kramer, LLP in Rydal, Pennsylvania and Ann Arbor, Michigan.
5. I have found Mr. Kramer to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Mitchell A. Kramer, pro hac vice.
7. I respectfully submit a proposed order granting the admission of Mitchell A. Kramer, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE, it is respectfully requested that the motion to admit Mitchell A. Kramer, pro hac vice, to represent Plaintiff in the above captioned matter, be granted.

Dated:

Sworn to this 29th day
of May, 2007

Lynn Ann Daly
Notary Public

LYNN ANN DALY
NOTARY PUBLIC, State of New York
No. 01DA4730298
Qualified in New York County
Commission Expires Dec. 31, 2010

Respectfully submitted,

Henry A. Lowet
Henry A. Lowet
Attorney I.D. HL1957
666 Fifth Avenue
New York, NY 10103
(212) 977-9700
SDNY Bar Code:



Supreme Court of Pennsylvania

CERTIFICATE OF GOOD STANDING

Mitchell A. Kramer, Esq.

DATE OF ADMISSION

January 6, 1958

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal

Dated: May 31, 2007


Patricia A. Johnson
Chief Clerk

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

CVC, INC.,)	
)	
Plaintiff,	)	CIV. ACTION NO.:
v.)	
)	
ORIDION CAPNOGRAPHY, INC.,	)	ORDER FOR ADMISSION
	)	PRO HAC VICE
Defendant.	)	ON WRITTEN MOTION
)	

Upon the motion of Henry A. Lowet, attorney for Plaintiff and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Mitchell A. Kramer
Kramer & Kramer, LLP
1077 Rydal Road, Suite 100
Rydal, PA 19046
(215) 887-9030
mkramer@kramerandkramer.com

is admitted to practice pro hac vice as counsel for CVC, Inc. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated:

United States District/Magistrate Judge

ORIGINAL

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

CVC, INC.,)	
)	
Plaintiff,	)	CIV. ACTION NO.: 07 cv 4561
v.)	
)	
ORIDION CAPNOGRAPHY, INC.,	)	MOTION TO ADMIT COUNSEL
	)	PRO HAC VICE
Defendant.)	
)	

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Henry A. Lowet a member in good standing of the bar of this Court, hereby moves for an Order allowing the admission pro hac vice of

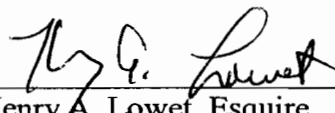
Barbara H. Kramer
Kramer & Kramer, LLP
24 Frank Lloyd Wright Drive
Lobby D
Ann Arbor, MI 48105
(734) 930-5452
facsimile (734) 665-8788

Barbara H. Kramer is a member in good standing of the Bar of the State of Michigan as well as those courts listed in Exhibit A attached hereto.

There are no pending disciplinary proceedings against Barbara H. Kramer in any State or Federal court.

Dated: 05/24/07

Respectfully submitted,



Henry A. Lowet, Esquire
Attorney I.D. HL1957
666 Fifth Avenue
New York, New York 10103-0084
(212) 977-9700
facsimile (212) 262-5152

EXHIBIT A

Barbara H. Kramer, Esquire

Pennsylvania Supreme Court	01/07/91
Michigan Supreme Court	11/18/93

U.S. District Courts:

Eastern District of Michigan	11/16/93
Eastern District of Pennsylvania	07/17/00
Western District of Pennsylvania	11/16/94
Western District of Wisconsin	11/11/02

U.S. Courts of Appeals:

First Circuit	10/12/04
Sixth Circuit	02/05/07
Seventh Circuit	06/03/05
Tenth Circuit	06/11/92

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

CVC, INC.,)	
)	
Plaintiff,	)	CIV. ACTION NO.:
v.)	
	)	AFFIDAVIT OF
ORIDION CAPNOGRAPHY, INC.,	)	HENRY A. LOWET
	)	IN SUPPORT OF MOTION
Defendant.	)	TO ADMIT COUNSEL
	)	PRO HAC VICE

Henry A. Lowet, being duly sworn, hereby deposes and says as follows:

1. I am of counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Barbara H. Kramer as counsel pro hac vice to represent Plaintiff in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 1958. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Barbara H. Kramer since 2004.
4. Barbara Kramer is a partner of Kramer & Kramer, LLP in Rydal, Pennnsylvania and Ann Arbor, Michigan.
5. I have found Ms. Kramer to be a skilled attorney and a person of integrity. She is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Barbara H. Kramer, pro hac vice.
7. I respectfully submit a proposed order granting the admission of Barbara H. Kramer, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE, it is respectfully requested that the motion to admit Barbara H. Kramer, pro hac vice, to represent Plaintiff in the above captioned matter, be granted.

Dated:

Sworn to this 29th day
of May, 2007

Lynn Ann Daly
Notary Public

LYNN ANN DALY
NOTARY PUBLIC, State of New York
No. 01DA4730298
Qualified in New York County
Commission Expires Dec. 31, 2010

Respectfully submitted,

Henry A. Lowet
Henry A. Lowet
666 Fifth Avenue
New York, NY 10103
(212) 977-9700
SDNY Bar Code:

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

CVC, INC.,)	
)	
Plaintiff,	)	CIV. ACTION NO.:
v.)	
)	
ORIDION CAPNOGRAPHY, INC.,	)	ORDER FOR ADMISSION
	)	PRO HAC VICE
Defendant.	)	ON WRITTEN MOTION
)	

Upon the motion of Henry A. Lowet, attorney for Plaintiff and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Barbara H. Kramer
Kramer & Kramer, LLP
24 Frank Lloyd Wright Drive
Lobby D
Ann Arbor, MI 48105
(734) 930-5452
bkramer@kramerandkramer.com

is admitted to practice pro hac vice as counsel for CVC, Inc. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated:

United States District/Magistrate Judge

State Bar of Michigan

Certificate of Good Standing



This certifies that Barbara H. Kramer, P49318
of Ann Arbor, Michigan is an active member
of the State Bar of Michigan in good standing.

She was admitted to practice in Michigan on
November 18, 1993 in Washtenaw County and
became a member of the State Bar of Michigan
on January 14, 1994.

Janet K. Welch
Executive Director
May 30, 2007



ORIGINAL

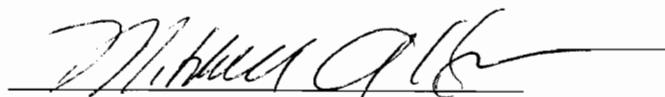
UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

CVC, INC.,)	
)	
Plaintiff,	)	NO.: 07-CV- 4561
v.)	
)	
ORIDION CAPNOGRAPHY, INC.,)	
)	
Defendant.)	
)	

AFFIDAVIT OF SERVICE

I, Mitchell A. Kramer, do hereby certify that I have on June 20, 2007 caused true and correct copies of the Pro Hac Vice Motions of Mitchell A. Kramer and Barbara H. Kramer and accompanying documents to be served by Certified Mail/Return Receipt Requested, No: 7001 1140 0002 4916 6231, upon defendant as follows:

Oridion Capnography, Inc.
21 Highland Circle
Needham, MA 02494



Mitchell A. Kramer
Kramer & Kramer, LLP
1077 Rydal Road, Suite 100
Rydal, PA 19046
(215) 887-9030

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Oridion Capnography, Inc
21 Highland Circle
Needham, MA 02494

2. Article
(Transit)

7001 1140 0002 4916 6231

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

6/20/07

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540